

# **EXHIBIT A**

201700781

James G. Edmiston  
Shane Colton  
EDMISTON & COLTON  
310 Grand Avenue  
Billings, MT 59101-5923

Phone: 406\259-9986  
FAX: 406\259-1094

Attorneys for Plaintiff

2017 FEB -6 AM 11:56  
KATHLEEN LEE BELTER  
RECEIVED  
PM 3 47  
FILED  
DEPUTY

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY

RUSSELL DEBUF as court appointed  
conservator of MONTE DEBUF,

Plaintiff,

vs.

TAURUS J. HILL, PACIFIC WEST  
CONSTRUCTION, INC., and PACIFIC WEST  
CONSTRUCTION OF MONTANA, INC.,

Defendants.

Cause No. V 16-1752  
Judge: GREGORY R. TOLLE

COMPLAINT AND DEMAND  
FOR JURY TRIAL

For his complaint against Defendants, Plaintiff alleges and states as follows:

1. Plaintiff is the court appointed conservator for his adult son, Monte Debuf.
2. On or about September 21, 2014 Defendant Taurus J. Hill was employed by either Defendant Pacific West Construction, Inc., an Idaho corporation registered to do business in Montana, or Pacific West Construction of Montana, Inc., a Montana corporation.
3. On or about September 21, 2014 Defendant Taurus J. Hill was driving a 1985 Dodge pickup truck pulling a trailer owned by his employer, Pacific West Construction, Inc. or Pacific West Construction of Montana, Inc., heading eastbound on Interstate 90 east of Livingston, Montana.
4. Near mile marker 345 Defendant Hill negligently pulled the pickup truck and trailer over onto the left shoulder of Interstate 90, and parked it, apparently to check the oil level in his pickup truck.

1           5.       After he checked and/or added oil, Defendant Hill pulled out onto the left hand  
2 lane of Interstate 90 and slowly began to accelerate. Defendant Hill negligently either did not  
3 check or negligently did not see the headlights approaching behind him when he pulled out, or in  
4 the alternative, Defendant Hill saw the headlights of the approaching car but negligently pulled  
5 out into the left hand lane of traffic on Interstate 90 without yielding to the oncoming traffic.

6           6.       Monte Debuf was a passenger in a 1997 Honda Civic car driven by his brother,  
7 Nathan Debuf, also eastbound on Interstate 90 east of Livingston, Montana.

8           7.       Near mile marker 345 the Honda driven by Nathan Debuf hit the rear of the trailer  
9 being pulled by Defendant Hill's pickup truck and crashed.

10          8.       Plaintiff alleges upon information and belief that Defendant Hill was acting in the  
11 course and scope of his employment with Pacific West Construction, Inc. and/or Pacific West  
12 Construction of Montana, Inc. at the time of the wreck.

13          9.       Defendant Pacific West Construction, Inc. and/or Pacific West Construction of  
14 Montana, Inc. are vicariously liable for the negligence of Defendant Hill.

15          10.       Monte Debuf suffered a severe brain injury and multiple other injuries in the  
16 collision caused by Defendant Hill's negligence.

17          11.       Monte Debuf has incurred medical expenses, will incur future medical expenses,  
18 has lost earnings and earning capacity, has suffered a reduction in ability to enjoy life, a change  
19 in the course of lifestyle, and has suffered physical pain and mental anguish.

20       WHEREFORE, Plaintiff demands judgment in an amount to be determined at trial.

21       DATED this 21<sup>st</sup> day of December, 2016.

22  
23       EDMISTON & COLTON  
24       Attorneys for Plaintiff

25       By James G. Edmiston  
26  
27  
28